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*Invitae Corporation*

**UNITED STATES DISTRICT COURT**

**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

INVITAE CORPORATION,

Plaintiff,

v.

OPTRAHEALTH, INC.,

Defendant.

Case No. 4:22-cv-00784-HSG

**STIPULATION TO EXTEND TIME FOR  
DEFENDANT TO RESPOND TO  
MOTION TO DISMISS  
OPTRAHEALTH'S COUNTERCLAIM;  
ORDER**

Hon. Haywood S. Gilliam, Jr.  
Date: 11/10/2022  
Time: 2:00 pm  
Dept.: Courtroom 2, 4th Floor

Complaint Filed: February 7, 2022

Trial Date: Not Assigned

Plaintiff Invitae Corporation (“Plaintiff”) and Defendant OptraHealth, Inc. (“Defendant”), by and through their respective counsel, hereby stipulate and request that the Court grant a 14-day extension of time for Defendant to respond to Plaintiff’s Motion to Dismiss Defendant’s OptraHealth’s Counterclaim (the “Motion”).

Good cause exists for the extensions and continuation:

1. Plaintiff filed its Motion on August 12, 2022. Defendant’s opposition papers are currently due on August 26, 2022, and Defendant’s reply papers are due on September 2, 2022.

2. Currently Defendant’s executive officers including inventors of the Patent-In-Suit are traveling and unavailable to consult on the opposition papers; Defendant seeks time to adequately prepare the papers.

3. The parties have agreed to grant Defendant a 14-day extension to file its opposition brief. Under the new schedule, opposition papers are due for filing on or before September 9, 2022 and reply papers are due for filing on or before September 16, 2022.

Respectfully Submitted,

**DATED: August 23, 2022**

**BRYAN CAVE LEIGHTON PAISNER LLP**

By: /s/ K. Lee Marshall (w/ express permission)  
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*Attorneys for Plaintiff Invitae Corporation*

DATED: August 23, 2022

**THE ZHEN LAW FIRM**


By: /s/ Chris J. Zhen  
Chris J. Zhen

*Attorney for Defendant OptraHealth*

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED that Defendant's response to the Motion to Dismiss is due by September 9, 2022, and reply papers are due for filing on or before September 16, 2022

Dated: 8/23/2022

  
HON. HAYWOOD S. GILLIAM, JR.  
UNITED STATES DISTRICT JUDGE